

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CHARLOTTE FRIEZE ET AL. : Civil Action No. CV 06 0509
Plaintiffs, : (ENV)
v. : **STIPULATION**
THE ABBOTT LABORATORIES, et al. , : **DISMISSING ACTION**
Defendants. : **WITH PREJUDICE**
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Whereas, no party hereto is an infant or incompetent person for whom a committee has been appointed;

Whereas, no person not a party has an interest in the subject matter of the action;

Whereas, plaintiff Jill Kern and defendant SmithKline Beecham Corp. (n/k/a "GlaxoSmithKline" but referred to herein as "SmithKline Beecham Corp. ") (sued incorrectly herein as "S.E. Massengill n/k/a SmithKline Beecham Corp. ") have agreed to settle this action with prejudice and without costs;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for plaintiff Jill Kern and for defendant SmithKline Beecham Corp. that the above-entitled action will be dismissed with prejudice as to defendant SmithKline Beecham Corp. and without costs or sanctions against any party.

The Stipulation may be filed without further notice with the Clerk of the Court.

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By: John C. Maloney Jr.
JOHN C. MALONEY, JR.
Attorney for Defendant
SmithKline Beecham Corp.
(n/k/a "GlaxoSmithKline" but
sued incorrectly herein as
"S.E. Massengill Company,
n/k/a SmithKline Beecham
Corp.")

Dated: February 5, 2010
June, 2009

Dated: February 5, 2010
June, 2009

Application Granted
SO ORDERED
Brooklyn, New York
Dated: 9/1/11
s/ENV
Eric N. Vitaliano
United States District Judge